

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 18 2009

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Elk Creek Canyon LLC Phone (702) 433-9696
Mailing address 1349 Galleria Dr., Suite 200, Henderson, NV 89014

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is Township 01N Range 05E Sec. 21, in the _____ 1/4,
NE 1/4, SW 1/4, Govt. Lot _____, B.M., Elmore County;

additional points of diversion if any: NENE S30, SENE S31, NWSW, S32, NENE S33, SWSW S33, all in T01N, R05E;
NESE S05, NENE (L1) S06, NWNE, S07, SWNE, S08, all in T01S, R05E, SENE (L5) S01, NWSE L01, NWNE S11,
SWNE S11 all in T01S, R04E, all in Elmore County

4. Water will be used for the following purposes:

Amount 35.0 for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 35.0 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source up to 14 wells with electric pumps for
distribution in a municipal supply system, including wells developed under applications 61-12090 and 61-12095
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 16-20 inches; proposed depth of well is 600-1200 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is see "Remarks" years

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. Elk Creek Canyon Planned Community
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

Superseded

VOID

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	5E	10													M			M	
		11									M	M	M	M	M	M	M	M	
		14	M	M	M	M	M	M	M	M	M	M	M	M	M	M			
		15	M	M	M	M			M	M	M	M	M	M	M	M	M	M	
		19																M	
		20									M		M	M	M	M			
		21	M	M	M	M	M			M	M	M	M	M	M	M	M	M	
		22					M		M	M									
		23									M			M					
		26					M	M	M	M									
		27			M	M			M	M					M				
		28			M	M							M	M		M	M		
		29			M	M		M	M					M	M	M	M	M	
		30	M	M		M													
		31	M			M								M	M	M	M	M	
		32	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		33	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		34							M	M	M	M	M	M					
1S	5E	4	M L 1	M L 2			M L 3	M L 4	M	M									
		5	M L 1	M L 2	M	M	M L 3	M L 4	M	M	M	M	M	M	M	M	M	M	
		6	M L 1	M L 2	M	M									M	M	M	M	
		7	M	M	M	M													
		8	M	M	M	M	M	M	M	M									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11.a. Who owns the property at the point of diversion? Rich Cornell, Nevid LLC, and ElkCreek Canyon LLC

- b. Who owns the land to be irrigated or place of use? Rich Cornell, Nevid LLC, and ElkCreek Canyon LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: business relationship

12. Remarks: The proposed 35.0 cfs municipal diversion rate is based on 17,950 residential units @ 200 gpd/unit and the irrigation of 0.1 acre per unit. The municipal use will also include schools, churches, a resort/hotel complex, commercial uses to include offices, restaurants, grocery stores, etc. Irrigation of common areas and sports fields will be accomplished with existing water rights transferred from outside the project area or with reclaimed municipal wastewater. Water-bearing zone to be appropriated is 400 to 1200 feet.

The time to complete this project will be established as phasing of the development is determined and be within a reasonable planning horizon for future needs. The Elk Creek Canyon Planned Community project encompasses 29,400 homes with associated public facilities.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Dennis Rider for Elk Creek Canyon LLC

Received by SB Date 6-18-09 Time 10:05 AM Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
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